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Title 11 DEPARTMENT OF TRANSPORTATION

Subtitle 01 OFFICE OF THE SECRETARY

11.01.13 Release of Public Records

Authority: State Government Article, §§10-611—10-623, Annotated Code of Maryland

Notice of Proposed Action

[14-147-P]

The Secretary of the Maryland Department of Transportation proposes to amend Regulations .02 and .04 under **COMAR 11.01.13 Release of Public Records**.

Statement of Purpose

The purpose of this action is to amend existing regulations and adopt new regulations to allow for the redaction of sociological information.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Matthew Garbark, State Legislative Analyst, Maryland Department of Transportation, 7201 Corporate Center Drive, Hanover MD 21076, or call 410-865-1096, or email to mgarbark@mdot.state.md.us, or fax to 410-865-1113. Comments will be accepted through June 30, 2014. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (5) (text unchanged)

(6) “Public records” [means any paper, correspondence, form, book, photograph, photostat, film, microfilm, sound recording, map, drawing, computerized records, or other written document, regardless of physical form or characteristics. “Public records” includes all copies that have been made by the Department or received by the Department in connection with the transaction of public business and includes the salaries of all employees of the Department, both in the classified and nonclassified service. “Public records” excludes digital photographic image or signature of a person, or the actual stored date thereof, recorded by the Motor Vehicle Administration.] *has the meaning stated in State Government Article, §10-611, Annotated Code of Maryland.*

(7) (text unchanged)

(8) “Sociological information” means:

(a) Social Security number;

(b) Personal address;

(c) Personal phone number;

(d) Personal email address;

(e) Date of birth; and

(f) Driver’s license number.

[(8)] (9) (text unchanged)

.04 Form of Request.

A. Inspections.

(1) — (2) (text unchanged)

(3) *The custodian of record shall not disclose sociological information to a requester, except the custodian may permit inspection:*

(a) By an individual named in the record;

(b) By the attorney of record of an individual named in the record;

(c) By the insurance company of record of an individual named in the record;

(d) By public employees in performance of their public duties;

(e) When required by a duly issued subpoena;

(f) When the Secretary determines that disclosure is in the public's best interest; or

(g) When otherwise required by law.

B. — D. (text unchanged)

JAMES T. SMITH, JR.
Secretary of Transportation